

**REMARKS**

Claim 1 and 3 have been canceled. Claim 4 has been added. Thus, Claims 2 and 4 are pending in the present application.

The subject matter of the various claims was commonly owned at the time of the invention because all inventors were regular employees of the Applicant at that time of the invention and obligated to assign any patent application to the Applicant.

**Claim rejection under 35 USC §112:**

The Examiner objected to the former claim 1 for missing essential structural elements. Applicant canceled former claim 1 and herewith presents a new independent claim 4. Applicant further believes that new independent claim 4 comprises and defines all necessary structural elements as well as their relation to each other. In particular, claim 4 now more clearly defines the present invention.

**Claim rejection under 35 USC §103:**

Claims 1-20 have been rejected under 35 U.S.C. 103, as being anticipated JP '516 or JP '468 in view of either JP '861 or DE '131.

The Examiner stated that that even though neither JP '516 nor JP '468 disclose a pressure generating molding apparatus with a piezo-electric drive, JP '861 or DE '131 both disclose such a drive.

Applicant herewith presents a new independent claim 4 which is believed to distinguish the present invention from the prior art. According to the present invention, in particular as shown in the only figure, a first plate SP and a second plate AP are both movable along guiding tie bars which are attached to a stationary plate. The second movable plate comprises a linear motor that can move the plate from and towards the stationary plate. Between the second plate and the first plate there is a piezo-electric actuator fixed to both movable plates to allow movement of the first plate in relation to the second plate towards the stationary plate. This arrangement allows for a precise movement of the first plate in relation to the second plate because the movement of the first plate as well as the second plate are guided through the

guiding tie bars. Thus, a more defined and precise movement of the first plate is possible. None of the cited references shows such a pressure generating apparatus as defined in independent claim 4.

The dependent claims include all the limitations of the independent claim 4. Thus, this claim is at least allowable to the extent of the independent claim.

Therefore, Applicant respectfully requests allowance of the present set of claims.

### CONCLUSION

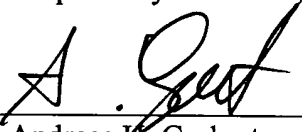
The application as defined in the pending claims is patentable under 35 U.S.C. §102 and §103 in view of the cited prior art. Therefore, applicants respectfully request withdrawal of the rejection and allowance of all pending claims.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*) Order Number 071308.0224.

Respectfully submitted,

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By: \_\_\_\_\_

  
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